

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

ALPHA ENTERTAINMENT LLC,

Debtor.

Chapter 11

Case No. 20-10940 (LSS)

Re: Docket No. 712

**PLAN ADMINISTRATOR’S NOTICE TO OFFER WITNESS TESTIMONY AT THE
HEARING ON DECEMBER 20, 2021 AND LIST OF EXHIBITS**

PLEASE TAKE NOTICE that Peter Hurwitz, solely in his capacity as plan administrator (the “Plan Administrator”) for the above-captioned debtor and post-effective date debtor (the “Debtor”) hereby provides the following information regarding the witness it intends to present at the hearing scheduled in the above-captioned chapter 11 case on December 20, 2021 at 3:00 p.m. (ET) (“Hearing”):

WITNESS INFORMATION

1. Name and title of witness: Chirag Mithani
Senior Director Finance, XFL
2. Scope of testimony: In support of the Plan Administrator’s Objection to Motion to Allow Administrative Claim of Workday, Inc. [Docket No. 319].
3. Direct testimony of witness: Mr. Mithani will testify in opposition to Workday Motion seeking payment of an administrative expense, including with regard to the prepetition Master Subscription Agreement between the parties, their course of dealings, and other proposed exhibits as provided in Mr. Mithani’s Declaration.
4. Location and place from which the witness will testify: (Demarest, NJ, home office)

EXHIBIT LIST

The following documents may be offered as exhibits in support of the Motion and Reply at the Hearing:

1. Master Subscription Agreement (June 19, 2018), Mithani Decl., Exhibit A.

2. Order Form # 00152878.0 to MSA (Foundation Tenant Service), total amount \$750,000 (June 19, 2018), Mithani Decl., Exhibit B
3. XFL Workday presentation (May 3, 2019), Mithani Decl., Exhibit C.
4. Order Form # 00192958.0 to MSA re Cloud Connect to Third Party Payroll (Aug. 23, 2019), Mithani Decl. Exhibit D.
5. Order Form #00196462.0 to MSA re Deployment Tenant (Sept. 8, 2019), Mithani Decl., Exhibit E.
6. Invoice No. WD-175474, Item Description Deployment Tenant (Amount Due \$0.00) (June 16, 2020), See Mithani Decl., Exhibit F.
7. Emails re bankruptcy notice (July 2020), Exhibit G.

RESERVATION OF RIGHTS

The Plan Administrator reserves the right to amend and supplement this witness or exhibit list at any time prior to the Hearing. Additionally, the Plan Administrator reserves all rights to cross-examine all witnesses proffered in connection with the Hearing and to call any rebuttal witnesses as may be deemed necessary.

Dated: December 15, 2021

MORRIS JAMES LLP

/s/ Eric J. Monzo

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*Special Counsel to Peter Hurwitz, solely in his
capacity as Plan Administrator*